APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,587	05/04/2001	Johannes Franciscus Maria Elisabeth Geelen	0142-0351P	8712

			EXAMINER
2292	7590	09/12/2005	PHAM, THIERRY L

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/848,587	GEELEN ET AL.
	Examiner	Art Unit
	Thierry L. Pham	2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 July 2005</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-45</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-45</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

- This action is responsive to the following communication: an Amendment filed on 7/22/05.
- Claims 1-45 are pending; claims 40-45 are newly added.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 41, 43, and 45 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not provide an adequate written description of the limitations as recited in claim 41, 43, and 45, wherein "wherein the predetermined delay time is varied *dynamically based on system time*"; therefore, it does not enable one skilled in the art to make, use and/or practice the invention. The examiner is unable to locate the specified (as indicated on page 9 of remarks) portion and any portion of the original filed specification that teaches above limitations/features "*dynamically based on system time*". Herein, the examiner interprets "*system time*" as a "*delay time over the content of warning can be set up*" as taught by Ide.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-45 are rejected under 35 U.S.C. 102(b) as being anticipated by Ide (JP 11227306A, translation is provided with office action).

Regarding claim 1, Ide discloses a method of operating a printing system (printing system, fig. 4), wherein said printing system comprises at least one printer (printer 1, fig. 4) and at least two user (personal computers 5-7, fig. 4) terminals connected to the at least one printer through a network (network 10, fig. 4), each said printer having a control unit (inherently, printer 1 includes CPU for receiving print jobs from host computers) which receives print jobs from the user terminals and controls processing of these print jobs, the method comprising:

• sending (printer 1 transmits printer's errors warning to host computer, fig. 1, pages 2-3), upon a disturbance of a predetermined kind (i.e. paper jam, pages 2-3) in one of the at least one printer while processing a print job, a warning message relating to said disturbance to at least one of the user terminals;

• providing (errors warning are transmitted from printer and then displayed to a first user, pages 2-3), upon receipt of said warning message, a first alerting signal relating to said disturbance at a predetermined first one of said user terminals;

• waiting for a user response (first user is provided predetermined amount of time to react to warning errors, pages 2-3) to be performed upon the printer; and

• providing, if no user response is detected within a predetermined delay time (if no response to errors within predetermined amount of time, pages 2-3), a second alerting signal relating to the same disturbance at a predetermined other one of the user terminals (printer than transmits a same warning errors to other user connected via network after predetermined time expires, abstract, pages 2-3), wherein the predetermined delay time is varied (predetermined delay time is being set up by operator and it is varied, par. 9, par. 13, and par. 16).

Regarding claim 2, Ide discloses the method according to claim 1, further comprising: sending, if no user response to said first alerting signal is detected within a predetermined delay time, a second warning message relating to said same disturbance to said other one of the user terminals for providing said second alerting signal (if no response to errors within predetermined amount of time, printer transmits same errors to other user, pages 2-3).

Regarding claim 3, Ide further discloses the method according to claim 2, wherein upon reception of said first warning message, said first user terminal provides said first alerting signal

at least in the form of a first acoustic or optical signal (i.e. contents of warnings in digital forms, pages 2-3) for alerting a corresponding user, and upon reception of said second message, the other user terminal provides said second alerting signal at least in the form of a second acoustic or optical signal for alerting a corresponding user.

Regarding claim 4, Ide further discloses the method according to claim 2, further comprising: checking if said disturbance is being or has been looked after (determine whether any response to errors are perfomed, pages 2-3); and if so, not providing said second alerting signal (second alerting is not transmitted, pages 2-3).

Regarding claim 5, Ide furhter discloses the method according to claim 4, wherein a response that causes the second alerting signal to not be provided takes the form of a detection by the control unit of the printer (second alerting is not transmitted if first user have been responsed to the warnings, pages 2-3) that a signal indicating the removal of the disturbance has been input.

Regarding claim 6, Ide further discloses the method according to claim 1, further comprising: checking, in a user terminal, if said first warning message relates to a disturbance of a predetermined kind; and, if so, in said first one of the user terminals, providing a first alerting signal for alerting the user substantially upon receipt of said first warning message, and in said other one of the user terminals, providing a second alerting signal for alerting the user after a predetermined time interval (transmits warning errors to other user connected via network if after predetermined time expires, pages 2-3).

Regarding claim 7, Ide further discloses the method according to claim 6, further comprising: checking if said disturbance is being or has been looked after; and if so, not providing said second alerting signal (second alerting is not transmitted, pages 2-3).

Regarding claim 8, Ide further discloses the method according to claim 7, wherein a response that causes the second alerting signal to not be provided (second alerting is not

transmitted, pages 2-3) takes the form of a detection by the control unit of the printer that a signal indicating the removal of the disturbance has been input.

Regarding claim 9, Ide further discloses the method according to claim 1, wherein said first one of the user terminals (first user, pages 2-3) submitted a print job in the course of which said disturbance occurred.

Regarding claim 10, Ide further discloses the method according to claim 1, wherein said other one of the user terminals is a user terminal of a key operator (i.e. PC, fig. 4).

Regarding claim 11, Ide further discloses the method according to claim 1, wherein said alerting signal comprises a message on the display screen of the user terminal (user's display screen, pages 2-3).

Regarding claims 12-16, Ide further discloses the method according to claim 1, wherein said predetermined kind of disturbance comprises a disturbance (i.e. paper jam and many known other errors, pages 2-3) that can be removed by an operator.

Regarding claim 17, Ide discloses for connection to a network having at least two user terminals (PCs 5-7, fig. 4), a printer (printer 1, fig. 4) comprising: a printing unit (printer 1, fig. 4); and a control unit (inherently, printer 1 includes CPU for controlling printer, fig. 4), connected to said network (network 10, fig. 4) and said printing unit, which receives print jobs from the user terminals and controls how the printing unit processes said print jobs, wherein the control unit, upon a disturbance of a predetermined kind (i.e. paper jams, pages 2-3), sends a first warning message (sending warning message to first user, pages 2-3)relating to said disturbance to a predetermined first one of the user terminals; and wherein, if no user response is received within a predetermined delay time (no response within given amount of time, pages 2-3), the control unit sends a second warning message relating to said same disturbance to a predetermined other one of the user terminals (if no response within given amount of time, sending a same error message to other users connected via network, pages 2-3), wherein the

predetermined delay time is varied (predetermined delay time is being set up by operator and it is varied, par. 9, par. 13, and par. 16).

Regarding claim 18, Ide further discloses the printing system according to claim 17, wherein said first warning message is for causing a first acoustic or optical signal (warning contents are sending to users, pages 2-3) for alerting a user to be provided at said first one of the user terminals and wherein said second warning message is for causing a second acoustic or optical signal for alerting another user to be provided at said other one of the user terminals.

Regarding claim 19, Ide further discloses the printer according to claim 17, wherein said first one of the user terminals (i.e. PC 5, fig. 4) is a user terminal having submitted a print job in which said disturbance occurred.

Regarding claim 20, Ide further discloses the printer according to claim 17, wherein said other one of the user terminals is a user terminal of a key operator (print manager, pages 2-3).

Regarding claim 21, Ide further discloses the printer according to claim 17, wherein said signal for alerting the user comprises a message on the display screen (display screen of personal computer, fig. 4, pages 2-3) of the pertinent user terminal.

Regarding claims 22-28, Ide further discloses the printer according to claim 17, wherein said predetermined disturbance comprises a disturbance that can be removed by an operator (i.e. paper jams and many other known errors occurred within the printer, pages 2-3).

Regarding claim 29, Ide discloses for connection to a network having at least one printer (printer 1, fig. 4), each printer having a control unit which receives print jobs from user terminals on said network and controls the processing of these print jobs by the printer, and wherein the control unit, upon a disturbance of said processing of a print job, sends a warning message (warning messages, pages 2-3) relating to said disturbance onto said network, a printing system comprising: a first remote user interface (PC 5, fig. 4) on said network; and a second remote user

(PC 6, fig. 4) interface on said network; wherein each of said first and second remote user interfaces include: means for checking if said warning message relates (warning messages to users, pages 2-3) to a disturbance of a predetermined kind; and means for generating an acoustic or optical signal (warning messages in digital format, pages 2-3) for alerting a user of one of said remote user interfaces; and wherein, upon reception of a warning message of said predetermined kind (paper jams, pages 2-3): said first remote user interface generates a first signal relating (message to first user, pages 2-3) to said disturbance for alerting the corresponding user substantially upon receipt of and in response to said warning message; and said second remote user interface generates a second signal (second message to other user, pages 2-3) relating to said same disturbance for alerting the user in response to and at a predetermined time (predetermined amount of time, pages 2-3) after receiving said warning message, wherein the predetermined delay time is varied (predetermined delay time is being set up by operator and it is varied, par. 9, par. 13, and par. 16).

Regarding claim 30, Ide further discloses the printing system according to claim 29, wherein said second user interface includes means for detecting a status of said printer (status of printer, pages 2-3) and, upon detection that said disturbance is being or has been looked after, does not generate said second signal for alerting the user.

Regarding claim 31, Ide further discloses the printing system according to claim 30, wherein a response that causes the second signal for alerting the user to not be generated takes the form of detection that a confirmation signal for signaling the removal of the disturbance has been input at the printer (errors have been removed, pages 2-3).

Regarding claim 32, Ide further discloses the printing system according to claim 29, wherein said first user interface is a user interface (i.e. PC 5, fig. 4) having submitted a print job in which said disturbance occurred.

Regarding claim 33, Ide further discloses the printing system according to claim 29, wherein said other user interface (i.e. higher manager, pages 2-3) is a user interface of a key operator.

Regarding claim 34, Ide further discloses the printing system according to claim 29, wherein said signal for alerting the user comprises a message on a display screen (user's display, pages 2-3).

Regarding claims 35-39, Ide further discloses the printing system according to claim 29, wherein said predetermined disturbance comprises a disturbance that can be removed by an operator (i.e. paper jams and many other known printer's errors, pages 2-3).

Regarding claims 40-45, Ide further discloses wherein the predetermined delay time is varied based on key operator or user preferences and dynamically varied based upon system time (predetermined delay time is being set up by operator via control panel and it is varied, par. 9, par. 13, and par. 16).

Response to Arguments

Applicant's arguments filed on 7/22/05 have been fully considered but they are not persuasive.
- Regarding claims 1, 17, and 29, the applicants argued the cited prior art (JP 11227306A to Ide) fails to teach and/or suggest newly added limitation/feature "*wherein the predetermined delay time is varied*".
In response, the examiner notes that the applicants are arguing subject matter and/or feature that were not previously cited. However, Ide explicitly teaches *wherein the predetermined delay time is varied* (predetermined delay time is being set up by operator and it is varied, par. 9, par. 13, and par. 16).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
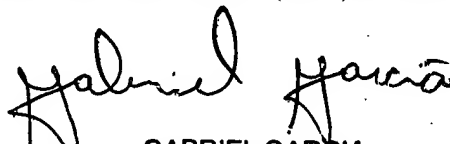
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham

GABRIEL GARCIA
PRIMARY EXAMINER